



Practitioner's Pocket No. **PI00-437P1RM**

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-----------------------|---|------------|------------------|
| In re application of: | Glucksmann, Maria A. (as amended) | | |
| Application No.: | 10/080,960 | Group No.: | 1652 |
| Filed: | October 19, 2001 | Examiner: | Saidha, Tekchand |
| For: | 80090, 52874, 52880, 63497, AND 33425 METHODS AND COMPOSITIONS OF HUMAN PROTEINS AND USES THEREOF | | |

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and PTO/SB/08B (3 pages)
3. ☒ Copies of Listed Information Items Accompanying This Statement (16 references)

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. SECTION 1.8(a)

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Date: July 21, 2004

Sean Hunziker

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Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in PTO/SB/08A and PTO/SB/08B (substitute for Form PTO-1449) accompany this information statement.

July 21, 2004

MILLENNIUM PHARMACEUTICALS, INC.

By:



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Practitioner's Docket No. MPI00-437P1RM

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TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed:

☒ Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

OR

☐ *After* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

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Practitioner's Docket No. MPI00-437P1RM

- (1) a final action under Section 1.113,
- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

OR

☐ The information disclosure statement transmitted herewith is being filed *after* a final action under Section 1.113, or a notice of allowance under Section 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

☐ In accordance with the requirements of 37 C.F.R. Section 1.97(d):

A. ☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

B. ☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

C. ☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

Practitioner's Docket No. MPI00-437P1RM

FEE PAYMENT

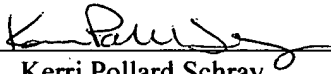
3. ☐ The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).

☒ Applicant believes no fee is due in connection with this submission.

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| 4. <input type="checkbox"/> Attached is a check in the amount of \$ _____. | | | |
| <input type="checkbox"/> Charge Account No. 501668 in the amount of | | \$0.00 | . |

☐ A duplicate of this request is attached.

If any additional fees are due, please charge Account 501668.

| | |
|----------------------|--|
| <u>July 21, 2004</u> | MILLENNIUM PHARMACEUTICALS, INC. By <u></u> Kerri Pollard Schray Registration No. 47,066 40 Landsdowne Street Cambridge, MA 02139 Telephone – (617) 551-3676 Facsimile – (617) 551-8820 |
|----------------------|--|

$+$

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1

of

1

10/080,960

October 19, 2001

Glucksmann, Maria A.

1652

Saidha, Tekchand

MPI00-437P1RM

[illegible][illegible]Date
Considered

¹Unique citation design number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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| Substitute for form 1449B/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | Application Number | 10/080,960 |
| | | Filing Date | October 19, 2001 |
| | | First Named Inventor | Glucksmann, Maria A. |
| | | Group Art Unit | 1652 |
| | | Examiner Name | Saidha, Tekchand |
| | | Attorney Docket Number | MPI00-437P1RM |
| Sheet | 1 | of | 2 |

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published. | T ² |
|--------------------|-----------------------|--|----------------|
| | CA | Kelly, R. J., et al., "Sequence and Expression of a Candidate for the Human Secretor Blood Group $\alpha(1,2)$ Fucosyltransferase Gene (FUT2)", The Journal of Biological Chemistry 270(9):4640-4649 (1995) | |
| | CB | Roos, C., et al., "Composition of Drosophila Melanogaster Proteome Involved in Fucosylated Glycan Metabolism", The Journal of Biological Chemistry 277(5):3168-3175 (2002) | |
| | CC | Strausberg, R. L., et al., "Homo Sapiens Fucosyltransferase 10 (alpha (1,3) fucosyltransferase), mRNA (cDNA clone MGC:74714 IMAGE: 5198060), complete cds.", 23 December 2003 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 19, 2004]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. BC063462. | |
| | CD | Martinez-Duncker, I. et al., "Homo Sapiens mRNA for alpha3-fucosyltransferase (FUT10 gene)", 04 September 2003 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 19, 2004]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. AJ582015. | |
| | CE | Roos, C., et al., "Homo Sapiens Partial mRNA for Putative alpha 1,3-fucosyltransferase (FUT10 gene)", 26 February 2002 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 19, 2004]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. AJ431184. | |
| | CF | Candelier, J. J., et al., "Homo Sapiens mRNA for Putative alpha 1,3-fucosyltransferase (FUT10 gene)", 02 January 2003 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 19, 2004]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. AJ512465. | |
| | CG | Candelier, J. J., et al., "Homo Sapiens mRNA for Putative alpha3-fucosyltransferase (FUT10 gene)", 01 February 2003 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 19, 2004]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. AJ535838. | |
| | CH | Candelier, J. J., et al., "Homo Sapiens mRNA for Putative alpha3-fucosyltransferase (FUT10 gene), inactive short splice variant.", 01 February 2003 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 19, 2004]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. AJ535839. | |
| | CI | Strausberg, R. L., et al., "FUT10 protein [Homo Sapiens]", 23 December 2003 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 19, 2004]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. AAH63462. | |
| | CJ | Martinez-Duncker, I. et al., "alpha3-fucosyltransferase [Homo Sapiens].", 04 September 2003 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 19, 2004]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. CAE46499. | |

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| Substitute for form 1449B/PTO | | Complete if Known | | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Application Number | 10/080,960 | | |
| | | Filing Date | October 19, 2001 | | |
| | | First Named Inventor | Glucksmann, Maria A. | | |
| | | Group Art Unit | 1652 | | |
| | | Examiner Name | Saidha, Tekchand | | |
| Sheet | 2 | of | 2 | Attorney Docket Number | MPI00-437P1RM |

| OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS | | | |
|--|-----------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published. | T ² |
| | CK | Roos, C., et al., "Putative alpha 1,3-fucosyl transferase [Homo Sapiens]", 26 February 2002 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 19, 2004]. Retrieved from the Internet: URL:http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. CAD24023. | |
| | CL | Candelier, J. J., et al., "Putative alpha 1,3-fucosyltransferase [Homo Sapiens]", 02 January 2003 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 19, 2004]. Retrieved from the Internet: URL:http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. CAD54669. | |
| | CM | Candelier, J. J., et al., "Putative alpha3-fucosyltransferase [Homo Sapiens]", 01 February 2003 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 19, 2004]. Retrieved from the Internet: URL:http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. CAD59771. | |
| | CN | Candelier, J. J., et al., "Putative alpha3-fucosyltransferase [Homo Sapiens]" 01 February 2003 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on July 19, 2004]. Retrieved from the Internet: URL:http://www.ncbi.nlm.nih.gov/ . GenBank Accession No. CAD59772. | |
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